

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No.14219, of Emma and Magdaline Renfrow, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the rear yard requirements (Sub-section 3304.1) to construct a one story rear addition to an existing single family dwelling in an R-1-B District at premises 4004 20th Street, N.E., (Square 4194, Lot 819).

HEARING DATE: December 12, 1984
DECISION DATE: January 9, 1985

FINDINGS OF FACT:

1. The subject property is located on the west side of 20th Street between Randolph Street to the south and Shepherd Street to the north and is known as premises 4004 20th Street, N.E. It is zoned R-1-B.

2. The subject lot is slightly irregular in shape. It has a depth of 99.13 feet on the north side and a depth of 95.84 feet on the south side of the property.

3. The subject site is nonconforming as to the area and width requirements of the Zoning Regulations for a dwelling in an R-1-B District. The Zoning Regulations require a minimum lot area of 5,000 square feet and a minimum lot width of fifty feet. The lot area of the subject property is 4,459.7 square feet and the lot is 45.71 feet in width.

4. The subject site is improved with a one-story plus basement, brick single-family detached dwelling and a one-story garage. The existing dwelling is approximately 1,159 square feet in area.

5. The applicants propose to construct a one-story addition to the rear of the existing dwelling. The proposed addition will contain a family room and bathroom and will expand the size of the existing dwelling by 361.74 square feet.

6. The existing dwelling contains a living room, dining room, kitchen, two bedrooms and one bathroom. The applicants testified that the proposed addition is planned to serve as a family room at the outset. The addition may be used to provide alternative sleeping space at a future date for one of the applicants whose physical condition

makes maneuvering within the existing dwelling difficult. The proposed bathroom is designed to meet the immediate physical needs of the applicant who is unable to fully utilize the existing bath facilities because of the small size of the existing bathroom.

7. The existing dwelling has two doorways, one at the front of the dwelling and one on the side. There is presently no direct access to the rear yard. The proposed addition will provide access directly to the rear yard.

8. The proposed addition will extend fifteen feet from the rear of the existing dwelling, resulting in a rear yard of 21.5 feet. The Zoning Regulations require a minimum depth of twenty-five feet for a rear yard in the R-1-B District. A variance of 3.5 feet or fourteen percent is therefore required.

9. The applicants testified that if the proposed addition were reduced in size to conform to the zoning requirements, the size of the rooms would be too small to meet their needs.

10. The maximum allowable lot occupancy is forty percent or 1,783.88 square feet. The existing dwelling and garage occupy 1,373.97 square feet. The proposed addition will increase the lot occupancy to 1,735.71 square feet.

11. There is an existing fifteen foot building restriction line at the front of the lot. The existing dwelling is further set back 4.5 feet from the building restriction line.

12. The small size of the site, the existence of the building restriction line and the location of the existing dwelling 4.5 feet from the building restriction line create an exceptional condition of the property resulting in a practical difficulty upon the owners. If the lot met the minimum area requirements for the R-1-B District and if the dwelling was not set back 4.5 feet from the building restriction line, no variance from the rear yard requirements would be necessary to accommodate a reasonably sized addition to the existing dwelling.

13. Advisory Neighborhood Commission 5A made no recommendation on the application.

14. The record contains one letter from the owners of adjacent property which expressed concern about existing and possible future drainage problems affecting their rear yard. The Board notes that it has no jurisdiction over the existing drainage problems, and further that, if approved, the proposed addition would be closer to the alley and perhaps would have a lesser impact on the neighbor's yard.

CONCLUSIONS OF LAW AND OPINION:


Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicants are seeking an area variance, the granting of which requires a showing of a practical difficulty which is inherent in the property itself. The Board concludes that the narrowness and shallowness of the lot and the location of the existing dwelling on the property creates an exceptional condition of the property as set forth in Finding of Fact No. 12.

The Board further concludes that the proposed addition is so located and of such size that there will be no adverse impact on adjoining properties. The Board further concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and map. It is therefore ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to grant; Lindsley Williams to grant by proxy; Douglas J. Patton not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

20 FEB 1985

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14219order/LJPB